



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107-4431

RECEIVED
AUG 01 1994
Enforcement Programs Section
EPA Region III

Lorraine Guevara
Senior Environmental Engineer
USX Corporation/U.S. Steel Group
600 Grant Street
Pittsburgh, PA 15219-2749

Re: Notice of Violation and request for conference
(Clairton & Edgar Thomson Plant Operations)

Dear Ms. Guevara:

This letter is in response to your letter of June 20, 1994 addressed to Mr. Bernard Turlinski, Chief, Air Enforcement Branch, EPA Region III. The subject of this letter concerns statements that were made in paragraph 2 of your letter whereby you stated that "...by requesting a conference, U.S. Steel is not considered to be in violation of § 113(c) of the Clean Air Act...". Based on our recent NOV conference, we acknowledge that USX exhibited cooperative behavior toward resolution of this matter. Notwithstanding, EPA may not negotiate its authority under § 113(c), and nor will it agree to condition its enforcement discretion and authority based upon a party's request to conference with EPA.

If you have any comments or questions concerning the above, please contact me at: 215/597/7419.

Sincerely,


Benjamin M. Cohan
Assistant Regional Counsel

cc: James Hagedorn (3AT21)